



Phone: (212) 885-5284  
Fax: (917) 332-3834  
Email: JGreenbaum@BlankRome.com

BLANK

ROME LLP  
COUNSELORS AT LAW

*Order of Dismissal dated and  
filed September 6 (Doc #9)  
is vacated nunc pro tunc  
to time of entry.*

September 7, 2007 *SO ORDERED.*

*[Signature]*  
USDS  
9-7-07

## MEMO ENDORSED

### BY HAND

Hon. P. Kevin Castel  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2260  
New York, NY 10007

Re: Stemcor USA Inc. v.  
TASC a/k/a Texas American Shipping Company  
07 Civ. 6150  
Our Ref.: 600261.00602



Dear Judge Castel:

We received electronic notice of your Order dismissing this action without prejudice to reopening it within 30 days if a settlement is not consummated.

We ask that you withdraw your Order *nunc pro tunc* because a sum of \$32,000 is under attachment pursuant to Supplemental Rule B, and must remain within the court's jurisdiction pending settlement. When the settlement agreement is signed, the attorneys for both parties will submit a consent order which will direct the garnishee bank to whom to release the restrained funds, and discontinue the action. We expect to have the agreement signed within a few days.

Thank you for your attention.

Respectfully submitted,

*[Signature]*  
Jack A. Greenbaum

JAG:eb

cc: VIA EMAIL  
Patrick Lennon